

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**
DANVILLE DIVISION

UNITED STATES OF AMERICA

v.

RODNEY WILSON,

Petitioner.

CASE NO. 4:03-cr-70134-003

2255 MEMORANDUM OPINION

JUDGE NORMAN K. MOON

Rodney Wilson, a federal inmate proceeding *pro se*, has filed a motion (docket no. 534) challenging his 2005 convictions and sentence. Because Wilson is challenging the validity of his federal convictions and sentence, I will construe Wilson's motion as a motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255. Upon review of the record, however, I find that the § 2255 action must be dismissed as successive.

Wilson challenges his life sentence for various drug and firearm offenses. Court records indicate that Wilson has previously filed multiple § 2255 motions regarding the same convictions and sentence, which I dismissed. *See* docket nos. 531, 532, and 533; Civil Action No. 7:07-cv-267. I may consider a second or successive § 2255 motion only upon specific certification from the Fourth Circuit that the claims in the motion meet certain criteria. *See* § 2255(h). As Wilson has not submitted any evidence of having obtained certification from the Court of Appeals to file a second or successive § 2255 motion, I must dismiss his motions as successive.¹

ENTER: This 19th day of February, 2014.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE

¹ Petitioner is hereby advised of the procedure for obtaining certification from the United States Court of Appeals for the Fourth Circuit to have this court review a successive § 2255 motion. Petitioner must submit a copy of the successive § 2255 motion to the Court of Appeals, along with a motion requesting a three-judge panel certification that the district court may review the successive § 2255 motion. *See* 28 U.S.C. § 2244. A Fourth Circuit form and instructions for filing this motion are available from the Fourth Circuit at the following address: Office of the Clerk, United States Court of Appeals for the Fourth Circuit, 900 E. Main St., Richmond, VA 23219.